



MINUTES

FORMAL MEETING OF CITY COUNCIL

COUNCIL CHAMBERS – CITY HALL

May 12, 2014
5:30 P.M.

1. **CALL TO ORDER** Mayor Knox White
2. **INVOCATION** Councilman Jil Littlejohn
3. **PLEDGE OF ALLEGIANCE** All
4. **ROLL CALL** The following members of Council were in attendance:
Mayor White, Amy Doyle, David Sudduth, Lillian Flemming, Gaye Sprague, Susan Reynolds, and Jil Littlejohn
5. **APPROVAL OF THE MINUTES** April 28, 2014; Approved as Submitted
6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**
None
7. **CITIZENS WISHING TO ADDRESS COUNCIL**

Bob Lloyd, 14 Pinckney Street, referred to a recent zoning request for property located behind former Gene's Restaurant. Mr. Lloyd stated City Code Section 19-2.2.4 encourages but does not require neighborhood meetings prior to the submission of an application and suggested the City Code be amended to require such meetings prior to the submission of an application or in a reasonable time in advance of a Planning Commission consideration.

Vic Rosenthal, 303 Waccamaw Avenue, spoke in opposition to Item 13a stating Council should not vote in favor of the Ordinance due to the number of individuals opposed. Mr. Rosenthal shared that he found through research nonpartisan elections to be more divisive inviting spoiler candidates and increasing the likelihood of corruption. Mr. Rosenthal encouraged Council to table the item.

Derrick Quarles, 108 Lavinia Avenue, spoke in opposition to Item 13a stating he has worked on campaigns throughout the southeast and has not found Millennials to be interested in voting in cities with nonpartisan elections. Mr. Quarles commented the change confuses people who then lose interest in voting.

Kwadio Campbell, 30 Second Avenue, spoke in opposition to Item 13a and its effect on the African-American communities. Mr. Campbell referred to the change to nonpartisan elections in Charleston and stated the change has exasperated the rapid rate of gentrification which has left the residue of a once proud and vibrant African-American community. Mr. Campbell encouraged Council not to make the same decision.

David Taylor, 5 Arden Street, spoke in opposition to Item 13a and commented on attending the Nicholtown Association public meeting and being humbled by attendees who were denied the right to vote in their lifetime. Mr. Taylor stated there was grave concern about the proposal at the meeting. Mr. Taylor suggested the biggest asset in Greenville is the people and the relationships and referred to the proposed Ordinance as an issue dividing the community.

Tim Reed, 51 Club Forest, stated while he is not speaking in favor or against Item 13a he is opposed to the wedge the item is generating in the community. Mr. Reed commented on the difficulty in attracting and growing businesses to the community and recommended either tabling or defeating the matter so there is no division in Greenville.

Tom Clarke, 26 Windsor Drive, spoke in opposition to Item 13a and reminded Council of an academic study he previously presented to them. Mr. Clarke stated the report shows that voters in nonpartisan elections behave as if they have no idea what is going on and they turn out in small numbers. Mr. Clarke commented the change will go against the democratic process and the needs of the voiceless.

Calder Ehrman, 224 Northbrook Way, referred to Item 13a and recommended everyone sit down calmly to review the issues and determine what is best for the City.

S.T. Peden, 404 Vardry Street, spoke in opposition to Item 13a and referred to standing before Council 38 years ago in an effort to get minority representation on Council. Mr. Peden stated when single member districts were implemented, the goal was to have approximately 80 percent minority which was met at that time. Mr. Peden added the figures are now down to 51 percent and 50 percent. Mr. Peden shared because Council has the right and political power to do it does not mean it is the right thing to do.

Reverend James Speed, Allen Temple AME Church, 109 Green Avenue, spoke in opposition to Item 13a stating he has intentionally remained silent on the nonpartisan matter to get a feel of the effect it is having on the community. Reverend Speed questioned if the City can afford to alienate an entire segment of the population without proper professional research. Reverend Speed commented it is his belief and the consensus of those he serves at this time that approving Item 13a will hamper Greenville's ability to continue to move forward and "get'er done."

Ed Good, 1721 N. Main Street, spoke in opposition to Item 13a and stated the City has come a long way under the current system in place. Mr. Good referred to good services given by City Council as well as by individuals throughout the community. Mr. Good commented while Council has the prerogative to make the call, he is not sure it is the right call and recommended tabling the matter. Mr. Good shared his concern with the message that will be sent if the item is approved.

Mayor White asked for those in the audience in favor of non-partisan elections to stand and those opposed to non-partisan elections to stand. No recorded count was taken.

8. PRESENTATION

a. Lead360 Challenge Awards

Youth Commission Liaison Pam Davis acknowledged the Youth Commission's partnership with the Jefferson Awards for Public Service and introduced Heather Love with the Jefferson Awards for Public Service who explained the Lead 360 Challenge and its goal to elevate the importance of public service in society among youth. Ms. Davis recognized the following award recipients:

Blanket Blast

Finding the Ability in Every Disability

Tooth Tails Dental Hygiene

Buena Vista Elementary School Student Council

Morgan Reynolds

Ms. Beetle's Early Childhood Education Class,
Golden Strip Career Technology Center

9. PUBLIC HEARING

a. Right of Way Abandonment for a portion of Reedy View Drive

Engineering Services Manager Dwayne Cooper presented an application for abandonment of a portion of Reedy View Drive as requested by Flournoy Development in conjunction with a multifamily development. Mr. Cooper advised the applicant will own all properties abutting the proposed abandonment and stated public utilities, as well as property owners within 300 feet of the proposed development, have been notified of the request. Mr. Cooper commented on receiving one letter in protest concerned with blocked views by the development.

Alan Berry of Greenville Heritage Federal Credit Union, 75 Reedy View Drive, spoke in support of the development. Mr. Berry referred to the amount of pedestrian traffic in the area and stated it is a good idea to abandon the drive.

Mark Holmes, Attorney representing the property owners of Black Electrical, stated support for the abandonment and referred to a provision in the petition that the abandonment be contingent upon Flournoy actually acquiring all the properties.

Ryan Foster of Flournoy Development Company offered to answer any questions City Council may have.

CONSENT AGENDA

There will be no discussion of these items unless a Council member so requests in which event the item in question will be considered separately.

Councilman Sudduth moved, seconded by Councilman Reynolds, to approve second and final reading of agenda item 10a and first and final reading of agenda items 12a and 12b of the Consent Agenda. The motion carried unanimously.

10. UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)

- a. Ordinance to clarify Ordinance No. 2005-41 amending Section 18-105(5), "Investment of Funds," of the Code of Ordinances of the City of Greenville regarding allowed investments in the Firemen's Pension Fund

11. NEW BUSINESS – (Ordinance – First Reading)

None

12. NEW BUSINESS – (Resolutions – First and Final Reading)

- a. Resolution to accept the donation of a sculpture commemorating the 10th anniversary of Artisphere
- b. Resolution to accept the donation of a sculpture entitled Octo 2 located at 98 East McBee Avenue

REGULAR AGENDA

13. UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)

- a. Ordinance to establish nonpartisan municipal elections in the city of Greenville by amending Chapter 14, "Nominations and Elections," of the city of Greenville Code of Ordinances (REVISED)

Councilman Flemming moved to table Item 13a. The motion failed 3-4, with Mayor White, Councilman Flemming, and Councilman Littlejohn supporting of the motion.

Councilman Doyle moved, seconded by Councilman Reynolds, to approve second and final reading.

Councilman Reynolds referred to Council discussing nonpartisan elections for two years and commented on the small percentage of voters attending the public meetings versus the number of registered voters in Greenville. Councilman Reynolds stated she has heard equally from individuals in favor and in opposition of the proposal and that she disagrees with individuals who have commented that Council is not listening. Councilman Reynolds commented the issues Council deals with does not require a "D" or "R" behind a name to know what a Council member can or will offer. Councilman Reynolds expressed her support for the Ordinance.

Councilman Sudduth presented written comments stating while he respects the opinions expressed throughout the public hearings, he does not think anyone has made the case as to why voters are not capable of evaluating candidates based on merit absent a "D" or "R" by their name. Councilman Sudduth stated while much has been made of the overwhelming reaction by the public to the proposed ordinance, Council has heard from approximately 100 to 200 on the issue which is less than 0.004 percent of the registered voters. Councilman Sudduth commented the basic issue of partisan versus nonpartisan has nothing to do with race and stated the seats of Council are the people's seats. Councilman Sudduth also commented the

proposed change transfers power from the political parties and other special interest groups to the voters and requires the candidates to work harder and the voters to educate themselves. Councilman Sudduth shared that candidates for Greenville City Council should be evaluated and selected by the voters based on merit and qualifications, not based on political party, race, socio-economic status or any sense of entitlement. Councilman Sudduth stated this is the right thing to do and expressed his support for the proposed change.

(Following the Formal Meeting, Councilman Sudduth requested his written comments be included in the record. See Attachment A.)

Councilman Flemming thanked everyone for attending and speaking and thanked Council for listening and hearing the people. Councilman Flemming stated the numbers do not matter to her because there have been hearings on different issues in the past where Council has only heard from a few people from a community and there has not been a problem. Councilman Flemming shared Council has heard that the community has no faith because they do not know what will happen once it is changed. Councilman Flemming also shared when individuals do not have adequate information they will always be concerned and upset. Councilman Flemming commented what Council has heard is that nonpartisan does not create a vacuum of people running to elections and does not create an opportunity for people to run for an office with no money. Councilman Flemming stated what bothers her more than anything is that four people will change something that it took almost 50 years of work to get which hurts her feelings.

Councilman Doyle requested her letter to the editor from *The Greenville Journal* be included in the minutes. *(See Attachment B.)* Councilman Doyle stated academic studies have been presented to Council as if they were all factual while there are other studies available. Councilman Doyle commented the proposal is not about the current Council but about the future Council. Councilman Doyle also commented the largest growing group of independents is in the Millennial population and stated the issue is not about race but about good candidates, good quality, and a future. Councilman Doyle thanked everyone for coming and sharing their opinions. Councilman Doyle advised over the past three months not one person has called her regarding the proposal. Councilman Doyle stated the matter is not personal, there has been disharmony before, and Council will work through it.

Councilman Littlejohn shared she has found it interesting that Council has been working on this item for two years but has not engaged the general public and the voters for two years. Councilman Littlejohn referred to the City creating task forces for numerous issues but not a task force for this issue. Councilman Littlejohn stated whether it is 5 people or 500 people, the people who have come out have said they do not want to move forward. Councilman Littlejohn commented if Council cared about diversity and inclusion, then it would have handled the process the way all other matters are handled. Councilman Littlejohn stated Council has not had anyone independent to come to them and provide facts before moving forward, which is careless and irresponsible. Councilman Littlejohn thanked the individuals who came out for not letting their voice be silent and for continuing to push forward. Councilman

Littlejohn encouraged attendees to come back to Council meetings and to participate.

Councilman Sprague stated Council's responsibility is to listen to the public input which Council has done. Councilman Sprague thanked her husband for research he has performed on her behalf to enable her to respond to the comments she has received. Councilman Sprague stated one of the major comments involves a diminishing minority. Councilman Sprague shared statistics of South Carolina cities similar to Greenville with nonpartisan elections having 30 percent of African-American population with 29 percent African-American Council members versus partisan elections having 35 percent African-American population with 25 percent African-American Council members. Councilman Sprague stated she has listened and attempted to look up everything she has been asked to do. Councilman Sprague offered to provide financial assistance in educating minority citizens who vote in city elections with the process in the next election if the Ordinance is approved.

Mayor White stated no Council listens more and engages more with the citizens than this Council does. Mayor White shared his disappointment that Council is talking about the issue like it is about nonpartisan elections when the issue is the social divide. Mayor White commented he does not believe it will make a lot of difference because of issues on both sides. Mayor White also commented while some have asked for Council to table the matter, they have not been able to do so. Mayor White stated the meetings provided an open invitation for everyone to come on either side of the issue and while the numbers may seem small, he cannot remember a larger number of individuals to come before Council during his tenure on any one issue. Mayor White shared the City has public hearings and meetings and individuals either show up or do not show up and matters are addressed on that basis. Mayor White commented while he did not create the situation where people would be either for or against the proposal, he is reacting to what has happened which is overwhelming concern about the proposal not being the right course.

After discussion, the motion carried 4-3, with Mayor White, Councilman Flemming, and Councilman Littlejohn dissenting.

14. NEW BUSINESS – (Ordinances – First Reading)

- a. Ordinance to abandon a portion of Reedy View Drive (AB-3-2014)

Councilman Sudduth moved, seconded by Councilman Sprague, to approve first reading. The motion carried unanimously.

- b. Ordinance to appropriate "C" funds from the Greenville Legislative Delegation Transportation Committee (GLDTC) to three capital improvement projects

Councilman Sprague moved, seconded by Councilman Reynolds, to approve first reading. The motion carried unanimously.

- c. Ordinance to execute an agreement to lease property located at 601 Green Avenue to ReWiGo Ministries for \$1.00 per year for a term of one (1) year with the option of an additional two (2) years (Tax Map Number 86.1-1-19)

Councilman Littlejohn moved, seconded by Councilman Sprague, to approve first reading. The motion carried unanimously.

- d. Ordinance to enter into a Second Amendment to Lease Amendment with the Peace Center

Councilman Sudduth moved, seconded by Councilman Sprague, to approve first reading. The motion carried unanimously.

- e. Ordinance to annex the state-maintained portion of Woodruff Road right-of-way abutting the city limits of the city of Greenville, lying adjacent to Beck Middle School (AX-2-2014)

Councilman Sprague moved, seconded by Councilman Littlejohn, to approve first reading. The motion carried unanimously.

15. NEW BUSINESS – (Resolution – First and Final Reading)

- a. Resolution to approve a Development Agreement with D&M Holdings, LLC for a commercial development on Augusta Street

Councilman Sudduth moved, seconded by Councilman Sprague, to approve first and final reading.

Development Coordinator Tracy Ramseur stated the start date is expected to be in June, however, she is not aware of a completion date. Councilman Sprague asked if part of the approval is granting an easement behind the building to move the utility lines, and Ms. Ramseur responded affirmatively.

After discussion, the motion carried unanimously.

- b. Resolution to approve a Statement of Understanding between the city of Greenville and the Peace Center regarding special events at the Peace Center

Councilman Sudduth moved, seconded by Councilman Littlejohn, to approve first and final reading.

Councilman Sudduth asked for information regarding a third party rate schedule. Public Information and Events Director Angie Prosser advised she does not have a rate schedule for third party groups but can obtain one. Ms. Prosser commented on allowing groups with just cause to obtain reduced rates and advised all third party groups can use the amphitheater for a permit fee with no reservation fee and can rent the stage through the Peace Center. Ms. Prosser also advised the Peace Center is reaching out to the City to determine how to make the space work in order to program more groups to use the space.

Councilman Doyle asked if there have been any challenges in the last year in negotiating the public space. Ms. Prosser responded the City speaks almost on a daily basis with the Peace Center regarding use of the space and that neither party will issue a permit or rental agreement until they both are in agreement. Councilman Doyle referred to future parking development across the river and the possibility of reducing scheduled use of the space to help accommodate.

City Manager John Castile advised the timing of the item brings clarity to both parties. Mr. Castile stated the restrooms the City has asked for will now be public property if the Ordinance is approved. Councilman Flemming asked that the Neighborhood Associations be made aware of the ability to use the space.

After discussion, the motion carried unanimously.

- c. Resolution authorizing a Lease/Purchase Agreement, Series 2014 in the principal amount of not exceeding \$1,044,500 relating to the financing of various items of equipment for municipal purposes; authorizing the execution and delivery of various documents including the Lease Agreement; and other matters relating thereto

Councilman Sudduth moved, seconded by Councilman Sprague, to approve first and final reading. The motion carried unanimously.

16. APPOINTMENTS – Boards and Commissions

- a. Youth Commission

Councilman Flemming recommended the appointment of Marc Pitrois of Greenville High School and Alex Myers of Greenville Tech Charter High School to serve on the Youth Commission. There being no further nominations, Mr. Pitrois and Ms. Myers were appointed by unanimous consent.

- 17. ADJOURN.** There being no further business, the meeting adjourned at 6:52 p.m.



KNOX H. WHITE, MAYOR



CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

Attachment A

Comments of David Sudduth

There's been a lot of discussion about "making the case" for changing the election process. While I respect the opinions that have been expressed, I don't think anyone has "made the case" as to why our voters aren't capable of evaluating candidates based on merit, absent a "D" or an "R" by their name.

Much has also been made of the "overwhelming" reaction by the public to this proposed ordinance. We have approximately 38,600 voters in the City. We've heard from approximately 100 people on this issue. That translates to less than .003% of the voters. In my opinion, that doesn't constitute a "groundswell" of feedback...in fact, it probably doesn't even qualify as a valid sample.

The basic issue of partisan vs. non-partisan has nothing to do with race. These 7 seats aren't black seats ...or white seats. These are the people's seats. Instead, this issue is about power...and specifically, a transfer of power. This proposed change transfers power from the political parties & special interest groups to the voters. What value is gained by a candidate hiding behind a political party? It doesn't guarantee anything. This change does require the candidates to work harder & the voters to educate themselves. Surely, our City is worth that investment. And what's wrong with multiple candidates vying for the same seat anyway? The problem now is that most candidates or incumbents run completely unopposed. What value does that provide to the voters?

As I've said before – in my 8+ years on Council, never have I made a policy decision based on political party. And I'm not about to start now.

"If it ain't broke, don't fix it" – we've heard that a lot lately. We've also heard a lot about the present harmony on Council. As most of us know, that has absolutely nothing to do with political parties – and everything to do with the people sitting up here. We're kidding ourselves if we think the presence of partisan elections has created this harmony. It's the result of mutual respect, trust and a shared passion for Greenville. The voters created this productive environment and that's what they expect...under any election process.

Some say we're doing this to advance our own "self-interest". For me, nothing could be farther from the truth. As a Republican, I was elected with 83% of the vote in 2005 and unopposed the following 2 re-election cycles. I consider myself to be conservative and practical...and I make no excuses for it – but I have every incentive to keep the election process the way it is. But it's not about me. It's about the future of our great City. It's about attracting & encouraging the best and brightest people to serve in office. Non-partisan elections give us the best chance to do that.

Change is difficult. But this Council is in the change business. Every ordinance we pass imposes change on somebody...every time. We each evaluate the pros and cons of every potential change and determine what we think is best for the City as a whole. That's just what we do. There's no shame in a 4-3 vote. Sometimes we just don't all agree. It's happened before and it will happen again.

Candidates for Greenville City Council should be evaluated and selected by the voters based on merit and qualifications – not based on political party, race, socioeconomic status or any sense of entitlement. In the end, I have confidence in the voters to make an informed decision. This is the right thing to do – and I continue to whole heartedly support the proposed change from partisan to non-partisan elections.

Attachment B
The Greenville Journal – May 9, 2014

Progress requires hard choices

"If it ain't broke, don't fix it" has been an argument against changing the process for nominating the city of Greenville's elected officials. It is our responsibility to plan for the future when things are working smoothly, not when a crisis arrives.

Greenville City Council's decision to take on this difficult issue now is another example that our local government is proactive. Through civil discussion – and disagreement – we are able to make hard but necessary decisions to improve the quality of life for our community.

Council work requires research, discussion, compromise and leadership. A good example of this is our reform of the Greenlink bus system, which provided transportation services to just under 1 million customers last year. This success came after five years of hard work by many stakeholders. The Greenlink issue was controversial. But doing nothing would have been a mistake and our vastly improved bus system is the dividend of that political courage.

What about the curfew downtown? The need to keep students and teenagers safe was becoming a critical issue in Falls Park. While the 4-3 vote was controversial, there has been a vast improvement of younger teens off the street in late night downtown.

Political parties are vital in a national election; we do not know the candidate, so the party vets the candidate. Locally, we vet our elected officials. We need good business leaders, community volunteers and successful directors of social service agencies to run for office. Does it matter what party they are if they are willing to lead?

Why should the council address the issue of non-party elections now? We must plan and work now to encourage greater participation and leadership for the city's future. According to the National League of Cities, over 70 percent of cities nominate and elect local officials in nonpartisan elections. We want to follow best practices from cities like Austin or Boston, or even in South Carolina, where more than 270 cities elect their council members with nonpartisan processes. (nlc.org)

The growth of younger voters registering with a particular party is diminishing. According to a 2013 Gallup poll, the number of people who identify themselves as independents is the highest in 25 years. (bit.ly/independentvoters)

Citizens interested in running for office may still choose to campaign with a party

IN MY OWN WORDS by
AMY RYBERG DOYLE

label. Organized parties should support the best candidate for the job. It is the responsibility of the candidates to campaign with a vision, motivate their supporters, know the neighborhoods and educate voters.

How do we address the concerns raised from the minority community? As city leaders, we must continue to encourage the growth of a diverse community. A letter dated March 3, 2014, to City Council from Allison Riggs, attorney for the Southern Coalition for Social Justice, stated: "According to the 2010 Census, the City of Greenville is 30.9 percent African-American (Any Part Black) in total population. More recent census data from the American Community Survey (2008-2012 data set) indicates that the African-American percentage in Greenville has risen to 31.7 percent." This is encouraging, as growth within a segment of the population will increase levels of activism, leadership and representation within local government.

Both the local Republican and Democrat party spokespeople are against this change. Why stifle local competition when the process is improved by more quality candidates in the race? We do not need candidates riding to victory by stepping aboard the coat-tails of a national party's identity.

Why do we want to allow for "the subtle bigotry of low expectations" to require such little effort to winning? An "R" or a "D" following a name should not be the only reason one is elected to serve on City Council or the Greenville Water System board.

We need individual citizens of Greenville who know the neighborhoods to participate in the election process through the free expression of their ideas, experience, policies and values. We need the voters to become energized by the choices, knowledgeable of the issues and engaged in the process.

Do we have confidence as citizens of Greenville to elect our future city leaders based on the person, not the party? We do.

Amy Ryberg Doyle is a member of Greenville City Council.

